

CITY-COUNTY COMMON

County-City Building • 555 S. 10th Street • Lincoln, NE 68508

County Commissioners
(402) 441-7447

Mayor
(402) 441-7511

City Council
(402) 441-7515

COMMON AGENDA MONDAY, APRIL 4TH, 2005 COUNTY/CITY BUILDING CONFERENCE ROOM 113 8:30 a.m.

I MINUTES:

- A. Approving Minutes of the March 7, 2005 Common Meeting

II PRESENTATIONS:

- A. RUTS (Rural to Urban Transitions for Streets) Program - PW/Roger Figard w/Don Thomas (30 Min)
- B. East Beltway Corridor Protection Agreement - PW/Roger Figard (30 Min)
- C. City Council/County Board Staffing - Ken Svoboda (15 Min)
- D. 3rd Floor Expansion - PBC/John Kay (15 Min)

III NEW BUSINESS

IV OLD BUSINESS

V ADJOURNMENT

CITY-COUNTY COMMON

County-City Building • 555 S. 10th Street • Lincoln, NE 68508

County Commissioners
(402) 441-7447

Mayor
(402) 441-7511

City Council
(402) 441-7515

COMMON MEETING MINUTES

Monday, April 4, 2005

8:30 a.m.

County/City Building - Room 113

COUNCIL MEMBERS IN ATTENDANCE: Jon Camp, Glenn Friendt, Annette McRoy, Patte Newman, Ken Svoboda, Terry Werner; *COUNCIL MEMBERS ABSENT:* Jonathan Cook,
MAYOR SENG: In Attendance

COUNTY BOARD MEMBERS IN ATTENDANCE: Larry Hudkins, Deb Schorr (late-after minutes approval), Ray Stevens, Bob Workman; *COUNTY BOARD MEMBERS ABSENT:* Bernie Heier

OTHERS IN ATTENDANCE: [List Garnered from Sign-in Sheet and noting of presentation participants - Others in attendance who did not sign in may not be listed] Virgil Meedel, City of Waverly; Jim Linderholm, HWS; John Kay, Sinclair-Hille; Syed Ataullah, NDOR; Peter Katt, Attorney; Darl Naumann, Economic Development; Marvin Krout, Kent Morgan, Planning Department; Don Thomas, County Engineer, Roger Figard, City Engineer; Mike DeKalb, Randy Hoskins, Karl Fredrickson, Public Works; Rick Peo, City Attorney's Office; Gwen Thorpe, Kerry Eagan, County Commissioners Office; Trish Owen, County Clerk's Office; Mark Bowen, Ann Harrell, Mayor's Office; Beau Wolfe, CIC; Joan Ray, Council Staff

1. MINUTES

A. Approving Minutes from the March 7, 2005 Common Meeting

Ms. Patte Newman, Common Chair for 2005, called for a motion to approve the above-listed minutes. Ray Stevens moved to approve the minutes as presented. Ken Svoboda seconded the motion which carried by the following vote: AYES: Coleen Seng, Jon Camp, Glenn Friendt, Larry Hudkins, Patte Newman, Ray Stevens, Ken Svoboda, Terry Werner, Bob Workman, Annette McRoy (arrived as the vote was being taken). NAYS: None

THIS MEETING WAS SCHEDULED TO ADDRESS:

RUTS (RURAL TO URBAN TRANSITIONS FOR STREETS) PROGRAM

EAST BELTWAY CORRIDOR PROTECTION AGREEMENT

CITY COUNCIL/COUNTY BOARD STAFFING

3RD FLOOR EXPANSION

RUTS (RURAL TO URBAN TRANSITIONS FOR STREETS) PROGRAM: Mayor Seng opened the presentation by stating that she wanted everyone to remember that as we were going through the Infrastructure Task Force effort on road building, there were several people on the Task Force who really thought we should explore all possible ways to help reduce the cost by having the County and City working jointly on road building. As the City grows outward, we just have to work together. Those members of the Task Force went to the County and City Engineers and brought them together to start exploring ways that we could work together to accomplish these savings on this very important issue. Ms. Seng stated that the Common had then asked for the presentation being given today. This presentation is the result of those efforts to have the City and County work together on the road projects.

Mr. Karl Fredrickson gave an executive summary of the philosophy of the RUTS program. Mr. Figard noted, prior to that presentation, that there was also a draft of an Inter-local agreement between the County and City on the Right-of-Way and Construction Standards for unopened and unimproved mile- and ½-mile-line county roads located within the three-mile zoning jurisdiction of the City of Lincoln. This was being submitted to the Common for review and input. He wanted to re-emphasize that it is a *draft* agreement - a work in progress.

Mr. Fredrickson reported that the idea of RUTS came out of the Infrastructure Task Force. The idea being investigated was that of maximizing the use of what the County puts in as the county grows; and as they do improvements on the County roads, how can that be taken into the City in future years to make the most cost effective use out of it. Here Mr. Fredrickson went through and reviewed the slide presentation for the Common members.

He noted that the County center-line for a roadway is the center of the right-of-way. The issue this brings up is that when that is taken into the City how can that be widened out with all the related problems that come with street widening. Those problems involve traffic flow which needs to be maintained; houses have been built; a road is closed during a rebuild and traffic has to be diverted from businesses and shopping centers. Some of those closures are for a considerable length of time. In the past several years, Lincoln has dealt with situations in that regard.

Typically, the County has been acquiring 100 foot of right-of-way and the road is generally “centered”. The idea of RUTS is that Phase I would be something within the three-mile zoning jurisdiction of the City. When the County traffic volumes came up to where improvements were needed, grading of the roadway section would be shifted to the side, in order to try to put the road bed off to the side so in the future a lane could be put off to the other side to maintain traffic during construction.

We’ve looked at purchasing additional right-of-way for the City Standard. At that time, we’d be paying AG land values versus higher prices after if either comes closer to the City, or is actually incorporated into the City. This would enable us to acquire the right-of-way at a lesser cost.

To the extent practical, we’ve tried to grade out the road section - trying to do as much of the dirt work as possible at that time to reduce the need for future work. The pavement is then shifted off the center. We’re starting the shift at, essentially, 12 feet. So, the edge of the pavement would be at the center line of the old road. Phase I work is well away from the City’s edge. It is not directly near the corporate limits, but one to three miles outside those limits.

Phase II is a work phase that would begin when the County has done their paving, the City has grown and, essentially traffic volumes have risen to where we need to add additional capacity to the system. Phase II shows two additional lanes being added. Those lanes are shifted off to the side and would be in their permanent location - spaced to allow left turns....with built-in left turn lanes.

If these are on the edge of the corporate limits, or very soon to be annexed in, then we might skip County Phase I and go directly to the Phase II, with curb and gutter sections. Sidewalks would be added in this Phase as well - either temporary or permanent

Phase III, takes the County's pavement that they've put in, (and used beyond its serviceable life), and at that time when it has become unserviceable from a maintenance or re-surfacing standpoint, we pull it out and replace it with a curb & gutter and permanent surface. In this way we've gotten all our possible dollars-worth out of the piece of pavement. The median then is designed out and we can allow dual left turns at the mile line intersection roadways. Phase III finishes out the urbanization conversion.

Mr. Figard reviewed the Draft Inter-local Agreement. He noted that there are some key philosophical points in the agreement that should be pointed out to the Common members before he turned the meeting over to a question/answer period. He explained the 2nd handout which was the draft agreement, noting that Rick Peo of the City Attorney's Office had produced the first original draft of this agreement. The County Attorney's office has reviewed the document a number of times as well.

On Page 2, Item 1 - the whole intention and philosophy here is that we're adopting a right-of-way and construction standard for those County roads that are unopened and unimproved - generally half-mile and mile-line county roads. That would be consistent with the 120 foot right-of-way map shown in the Comp Plan.

This wouldn't necessarily include County roads that are already paved or have already been graded, although, Mr. Thomas and Mr. Figard reserve the right to argue about some of those closest to the City. Within that, we're setting the construction standard for right-of-way that would be 120 feet, expanding to 130. All of that is in accordance with the Comp Plan. The intention is to follow those guidelines to get the wider right-of-way. The location of that roadway is intended to generally be down by the section or half-section line road, as is done today - offset, depending on what might be out in the county it might be shifted one way or the other to save an existing home or farmstead. We believe that if you adopt this policy, that you should leave the exact design details to the County and City Engineer to work out as to where and if these shifts should be made. This isn't cast in concrete, but is a policy and philosophy wherein engineering judgements need to be utilized. That is what is embodied under Section A: (Right-of-Way Standards and Locations) of the Agreement.

Mr. Figard wanted to skip the "Cost Sharing" Section for a moment, to discuss B: The Design and Construction Standards. Mr. Figard noted that he and Mr. Thomas, to the extent practical, should try to grade as much of that right-of-way as we can now, so that it fits the future. In some projects, that might mean half of the right-of-way width - others, it might mean all of it. Those are engineering details that they would hope Common members would leave to the Engineering offices to work out. But, again, to the extent practical, we should try to get most of it graded. That will save costs later when we have to come back.

The vertical profile should be set to meet a future urban profile, set perhaps a little lower than a county road might be today, so that in the future, we can get the drainage from the abutting property to come on the future roadway without having to grade out anyone's backyard. It would also mean grading so that sight distances at future intersections are met, which in turn would reduce accident problems. The two Engineering Offices (County and City) would review the City and County Design Standards on a regular basis to insure that we don't have problems in the future.

We will probably work off the idea that, in most instances, we plan on intersections at quarter- and half-mile points between the mile-line roads. We'll try to have the profile set up so future urbanization would make access at those locations.

Paving Construction: The pavement to be shifted to one side or the other to accommodate two lanes. We're calling for at least 24 feet to include shoulders and turn lanes at the intersections. Cost sharing will be discussed later.

Cooperation: The Director of Public Works, or in his absence, certainly the City and County Engineers Offices, annually review and coordinate and insure maximization of the intent and purpose of this agreement. That is the intent and philosophy of these proposals. Mr. Figard stated that he was willing to suggest that the

Cost Sharing in the Agreement, as a starting point, the County would include the cost of this program within its annual budget. Mr. Figard stated that his theory, (believing that Mr. Don Thomas was in agreement philosophically with the concept and understands his approach though he may not agree with it) is that 85% of the tax base in the County Budget comes from people within the City limits. So, Mr. Figard felt this program needed to be done. He noted that if the County Board felt they needed to raise the County taxes to do that, so it would only be paid for once, that would be okay. (He noted that is just his own theory). He noted also that the City of Lincoln residents are sharing in that cost because they are part of that County tax base. That was the premise for suggesting that this program could and should be embodied within the County budgeting process.

He noted that there are other options and other ways that it could be approached, but this was a beginning point. Mr. Figard asked Mr. Thomas to make comment as to whether or not he agreed with this. Mr. Thoms responded by noting that he thought everything had been pretty well explained, except the cost-sharing. He did understand Mr. Figard's philosophy. He noted that budgets are tight and it doesn't matter whether it's the City or County. He said that there had been hopes of other sources of funding too, beyond property tax. Maybe that will happen at some point....but for now, it would be property tax that we would look to for funding.

Mr. Thomas commented that the best way to leave it is that cost-sharing is a subject for us yet to discuss. He did want to state that he thought we're starting down the right path. We've acquired the right-of-way on our first 120 foot right-of-way road. This was a coordinated project with LES for their northern transmission lines. They bought 60 foot right-of-way on one side of the road for about four miles on Northwest 12th and North 14th Streets. We reimbursed them for 60 foot of the right-of-way. The City paid for 10 feet, the County paid for 50. It worked out very well and he hoped such cooperation can continue.

The first project we'll attempt this on, and will try for budgeting on for the engineering costs, would be 98th Street between Pine Lake and, at least, "A" Street. Of that four miles, one mile is in the City and three miles of it is in the County. It's a good road to choose because of it's close proximity to the City limits. It's also a good road to choose for this first project, because it blends - the first mile is potentially a City street we can adapt to the RUTS program for the next three miles. So, everything considered, it looks like the best road with which to begin this program. That is where we intend to go - the preliminary survey work has been done, so design is the next step. Financing permitting, we will budget next year to do that.

Mr. Werner thanked the presenters for bringing this concept forward. He noted that this is something that the SRT Committee had proposed and he felt it was very important that the City and County pursue it because it's a savings to everyone in Lancaster County - not just County residents, but to the residents of Lincoln as well. He had one question as to how much it would actually save the taxpayers by doing this?

Mr. Thomas answered that every single road that is built is different. Each one involves a different amount of dirt work, drainage structures. The only thing that would probably be nearly uniform in any project is the cost of the concrete and the cost of asphalt. So, to give a cost-savings, would be difficult to do. Mr. Werner asked if they didn't agree that the cost-savings would be significant? Mr. Figard and Mr. Thomas both agreed that the savings would be significant. Mr. Thomas explained some of the differences in City and County road construction and how the costs might vary. Mr. Figard commented that the bigger cost is the cost to the traveling public and the businesses in an area where a road has to be closed and re-designed and constructed after development is in place. Mr. Figard said they could figure the differences in costs involved in square footage expenses in purchase of right-of-way between County & City land.

Discussion continued briefly on former right-of-way acquisition and the implementation of Phase II before Phase I, as was done at Pine Lake Road between 27th & 14th Streets, where they had built an urban two-lane off-set, then just a few years later, came back. Mr. Figard noted that that is one reason not to always put down asphalt on roads that are close to the edge of the City limits.

Mayor Seng stated that she wanted to have the Common begin thinking about the forming of a Joint Agency. She noted that there are now about twenty-some Joint Agencies between the County and the City and another 40-some in which there is cooperation. If we do something like this, then we, as policy makers, have to be thinking about each entity (County/City) giving up about a penny of our taxing authority. That money would be put into the RUTS program. She noted that this is done with the RTSD and several other agencies. She added that those of us who have served on those agencies through the years always have had to look at the possibilities available to us. That is where we're headed with the RUTS program - an official Joint Program. She thought the City and County Attorney's should be working on drawing up a suitable agreement to achieve that. The draft before them today was from the City Attorney's Office, with input from the County Attorney. She felt this is what the Common members should be directing their respective agencies to begin - we have to get this formalized. Mayor Seng emphasized that City and County both will have to understand that we're ready to give out one cent of our levy for this program.

Comments from the Common members, (which did include some questions on specific engineering concerns which Mr. Figard and Mr. Thomas were able to answer) lead to a consensus that this project would benefit the entire community and it should be moved forward. The Common directed the City and County Finance Departments, the City and County Attorney's Offices, and the City and County Engineering Offices to come back to the next Common meeting with information on the creation of this Joint Agency and the funding options that would be put in place in its creation. There were concerns regarding the funding of this Joint Agency and it was requested that these funding questions (including the County and City budget lids, the possibility and feasibility of a County-wide wheel tax or separate line-item on property taxes, and the costs of acquisition of right-of-way) be addressed in a presentation made at the May Common meeting on the creation of this Joint Agency. It was also noted that the implementation of the RUTS program would have no impact and would cause no delays in the One-to-Six Year Road Plan that the two bodies have already approved.

EAST BELTWAY CORRIDOR PROTECTION AGREEMENT: Mr. Figard gave a brief history of the East Beltway plan, noting that in 1961 the Comprehensive Plan identified I-80 and a loop system around the urban area of Lincoln. In 1971 a Comprehensive Study of the East and West By-passes resulted in the Highway 77 West-Bypass. We did not, as a community, at that point in time actually include a South and East Beltway into the Plan, which was unfortunate; but through the '90s we studied a South and East Beltway. In 2002 we approved an Environmental Impact Statement and we brought forward and we put into the Long-Range Transportation Plan a corridor for a South and an East Beltway in our LRTP. At the time that was done, we all agreed we needed to make sure we had an ability to protect that corridor and be able to move ahead in the future.

The cost of that Environmental Impact Statement completed, and the corridor in -just the Engineering on it- was about \$1.7 million dollars. Today the Nebraska Department of Roads, because of previous agreements between NDOR and the City, has accepted the responsibility of moving ahead with the design and right-of-way on the South Beltway. They are doing that now. They have filed corridor protection on that, as they had that authority. No corridor protection is in place for the East Beltway. Mr. Figard, very candidly, stated that if we don't do something and we loose this corridor, he did not think the community would ever have a corridor out there. The community worked hard and we've got that corridor and we need to protect it. It is time to take action.

He reported that they have had a couple of opportunities for beltway corridor protection. One was when the NDOR felt they had the authority and were initially willing to file corridor protection on the East Beltway for the community at I-80, at Highway 34 and at Highway 2. They have projects that would lend them the ability and authority to file for those locations. That leaves a gap between I-80 and "O" Street; or Highway 34 and from there on south.

At the same time, Senator Hudkins brought forward a bill that would allow the local authority to file corridor protection for a beltway in a transportation plan. LB639 was passed and our understanding is that the governor signed that bill on Friday and it would go into effect in 90 days. At that point in time, a local authority would have the ability to file corridor protection. That gives us the legal right to do that, but the sticking point is going to be -after filing the corridor protection- then when development starts, and plans are reviewed for development, a decision has to be made. You have to have the financial resources to buy that right-of-way at that time.

We have a situation of growth and development going on at the I-80 interchange area. Waverly has annexed more property. There is a major development going in out there. We were fortunate to be able to work with them and the Department of Roads to have their building footprint drawn to preserve the north-east quadrant of that interchange, but they have not been paid yet for rights-of-way which will be needed for that. The wolf is at the door. We have the ability to file corridor protection, but we've got to get discussions going on who would file, and how it would be paid for. Perhaps the City acting as the lead in the MPO could file that corridor protection, but there would still have to be an interlocal agreement between the City, the County and perhaps any other local political subdivision that might be effected by the project, to participate.

Mr. Figard noted that the other thing would be that we need to have enough preliminary engineering done so that when some one comes in with a development plan, we have a pretty good idea of the footprint of that roadway so we'd know how much right-of-way to buy. We have taken the liberty of getting some estimates from the consultant who worked on the South and East Beltway. We think it makes good sense to stick with the firm or firms that have been doing that work. We believe the cost will be between approximately \$100-400,000 for the design all the way along the east side. We may not have to do it all at once, but in phases. The first piece might be in the \$100-150,000 range. Mr. Figard felt the City could partner with the County to move quickly on this first phase. We'd like to receive some direction from the Common as to whether or not the State should go ahead and file on those three locations on our behalf for the corridor protection for all the proposed beltway areas.

Ms. Newman asked about the cost estimates Mr. Figard had mentioned, noting that just for the design, he had estimated between \$100-400,000. How much would the right-of-way acquisition cost? Mr. Figard stated that it would be from zero to millions, depending totally on applications that come forward for any development; depending on the location and complexity and size of the design and the proximity to this corridor. Ms. Newman asked for a rough estimate of how many millions of dollars that would be.

Mr. Figard asked his support staff if there was an estimate of the total right-of-way for the East beltway? There was no response. Mr. Figard thought perhaps between \$10-15,000,000 would be an appropriate estimate for the purchase of the East beltway right-of-way. He noted that for the situation as it stands today, the actual right-of-way need in working with Waverly is between \$500,000 - to \$1,000,000.

Mr. Werner asked about the cost-sharing breakdown. He wondered if the projects would be funded through Federal, State, County and City levels? Mr. Figard stated that the East beltway has not been identified as part of the State Highway system. If we're successful on the South beltway in our conversations and working with the State, we need to go through further steps and further discussion regarding funding.

Mr. Figard noted that today, the Department of Roads is here and they're telling us it is not a part of the State Highway System. They were willing to file corridor protection, though LB639 may have changed that; but they've been very clear that the local authority needs to come up with the money to secure and buy the right-of-way at this point in time.

Mr. Thomas noted that the whole project is moving forward in very small increments at this time. What was needed, it was proposed, was seed money....an account that is in place while we wait for developers to come along and for us to take advantage and buy the right-of-way when that development is proposed. It would be somewhat like a revolving account that needs to be available to keep things going.

Mr. Thomas stated that, as far as the State is concerned, he understood why they did not want to be involved at this moment in time, but that does not suggest that in years to come they would remain uninvolved.

Mr. Friendt asked about the value of planning for the protection of the corridor...without the money to buy the right-of-way, could a private property owner ignore that protection? Mr. Figard answered that if the corridor protection is filed, then the owner would be obligated to work with us in a six-month time period to work out an amicable right-of-way solution. There is a process...but if we say we want to buy the right-of-way, we must have resources to back it up. If you file the protection without funding, it's an exercise in frustration.

Mr. Thomas noted that the protection is filed with the Building and Safety Department so when somebody comes in with a building permit, or a plat, that is when the red flag is raised. Mr. Figard lauded the idea of an account, or a project with seed money to get started on some engineering aspects, so we have a better feel for right-of-way needs. With that funding in place the County and City Engineering offices would be in a better position to review budgets and other resources in reporting back to you on the needs for particular applications. If there isn't enough money, we could possibly offer suggestions as to where the money might come from....or ask you for other funding sources.

Discussion continued briefly with questions on why and how the South beltway differs from the East beltway project. It was explained that the State had accepted the responsibility to own the South beltway in the future as part of the State Highway system. They have already bought the right-of-way and previous Federal money has come in, which the City has been budgeting as their share of the South beltway. That is being put into the ongoing work right now....we've got that one covered.

Mr. Figard turned over further questions on the differences between the East and South beltways to Mr. Syed Ataullah, of the Nebraska Department of Roads, who stated that, basically, the South beltway is looked upon as an extension of Highway 2 - that is why the State has assumed the responsibility for that project. Ms. Schorr asked at what point in the future might it be predicted that the State would take responsibility for the East beltway, after hearing Mr. Thomas' comments regarding 148th Street. Mr. Ataullah answered that he could not predict the future, offering that perhaps the City and County would have to be involved.

Mr. Figard stated that the Common needs to position the City/County Engineering Departments to begin those conversations in order to begin the negotiations. The State has a 600 mile expressway system that was identified in a 1988 needs study. It's not all completed; priorities have changed. There is a statute that mandates that they have only 10,000 miles of State highways in the state. This project would interfere with that mileage limit. Mr. Figard suggested that the City and County elected officials might have to visit with State legislators regarding changes to that policy, or philosophy, in order for them to look at that. Without moving ahead and getting something started, we don't have the platform for starting these conversations with the State.

Mr. Stevens commented that the State had, at one time, indicated that they would file corridor protection at I-80 and Highway 34 and Highway 2. If they did that, would they then acquire the right-of-way, if it was necessary, in those locations? Mr. Figard answered that that would still have some flexibility in the agreement itself. They would probably look at their first recommendation, though the agreement would involve the local authority to physically buy the right-of-way. The State would be the over-seer, getting the corridor protection filed and then leave it to the local entity.

Mr. Stevens asked, then, if the local authority did acquire the right-of-way, would that figure into the cost-sharing requirements when the beltway is built? Mr. Figard stated that he would assume that would be the case.

Mr. Workman stated that he liked the idea presented by Don Thomas regarding a revolving account. He further stated that this sounds like a RUTS project to him and he wondered if we couldn't tie that separate line-item for RUTS to be included with this. The City and County both have to deal with this until, if and when, the State takes this over. The City and County could view this as an extension of the RUTS program. Mr. Figard thought that sounded good.

Mr. Friendt asked about the \$15,000,000 projection to buy the right-of-way for the East beltway, wondering if that included the necessary ground for the green-way and the other property we include in discussions of the beltway such as open areas and floodplain. Mr. Figard did not think so - and it wasn't his intent to suggest that. He did not believe the planning was far enough along - there had been no discussions with watershed management and Parks regarding that issue. It is a piece that needs to be included in the discussions as we move ahead.

Ms. Newman asked if the Common, as a group, could at this point, offer direction by agreement that the project be moved forward with the corridor protection phase. She asked if more than this direction was needed. Mr. Figard felt if the Common gave them the direction to move ahead, then the County, City and State and any other political subdivisions that should be involved, would be able to put their legal departments together and start putting together a frame-work for an agreement that would address the costs. He felt more research might be needed on the authority of the NPO. Certainly if the NPO does something, it will have to be done clearly with an interlocal agreement between the City and County making sure of the details. The City and County have legislative authority while the NPO has regulatory authority...they have no funding sources.

Mr. Stevens noted that the power lines running north and south along that area would parallel the proposed beltway location. He noted that the power company would have a right-of-way along that area that could be used for the green-way requirements. Mr. Figard noted that regarding the right-of-way, or easements, the discussion was to have some of that embodied as part of the green-way and widening of the corridor. But, we haven't really had any authority to continue any preliminary design on that; however, he felt that option would help the efforts.

Mr. Workman noted that there was no argument on the necessity of moving forward on this and acquiring the right-of-way. The debate is on how we'll pay for it. Mr. Workman requested that the next discussion at the Common meeting on these issues, have information regarding combining the financing of these two concepts together (RUTS and Joint Public Agency for funding the beltway). He noted that the RTSD example had worked out well with the reserve account build up.

Ms. Newman requested that Mr. Friendt's questions be addressed regarding the combining of conservation easements along the proposed beltway. Mayor Seng requested, too, that if there is any other community or subdivision entity that might have financial input on this project that they be sought out and included.

Ms. Newman announced then that at the May Common, there would be discussion on RUTS and Beltway - Part II.

CITY COUNCIL/COUNTY BOARD STAFFING - Mr. Svoboda reported that this has been under discussion for quite some time. It is opening some discussion and dialogue as to -if we were going to look at the County Board/City Council as a combined staff- what that plan might entail; who might be in charge; how might we have to restructure our physical offices in order to make that efficient. It is just a request to open the conversation. Ms. Newman noted that this discussion had focused on cost efficiencies and making things work better in the joint offices.

Mr. Werner noted that he could speak a little to the difficulties that he had had as Chair and the responsibilities for supervising the City employees (including Joan and Tammy) as well as the County employees. He noted that it is difficult for the Chair to have these expectations placed on him/her when one really isn't in the office all that often. It is difficult to monitor and know what is going on, so some of this discussion came about while searching for a way to utilize the resources and people that are already here to help in a supervisory capacity. Mr. Werner reported that the Council had had a retreat recently regarding the Council's vision as to how the Council office should be structured in the future. Everything this morning boils down to money. This would be a start in reviewing that issue. We need to look to the County, possibly, if there is some way we could utilize the staffing that we already have for supervision. Is that what you're proposing Ken?

Mr. Svoboda stated that it would probably entail another non-taxing interlocal agreement that would help us fund and support this.

Mr. Hudkins noted that the County Board has discussed this briefly. They appreciate the combined staff. He noted that it has worked out well with one receptionist, adding that there are some benefits to both bodies. He commented that Mr. Eagan is a Director who is in-office on a daily basis, and the County would be willing to sit down and talk about his over-seeing the two offices.

Mr. Werner commented that there are a lot of efficiencies when you talk about our two employees - and with County staff, there are four people who could be utilized to do all of the Council/Board work. Possibly there are some efficiencies that both bodies could realize.

Mr. Workman noted that he understood the dilemma of the City Council, stating that one thing the public doesn't realize all the time is that the County Board is mostly administrative -maybe 90%- and very similar in function to the Mayor's office. The Council, on the other hand, is more legislative and you don't have the administrative structure that the Board does have. He knew of the dilemma and understood how hard it is to confront issues on managing the office staff....Council is just not set up to do that. Along with Commissioner Hudkins, he would be willing to take a look at and discuss the issues with Kerry Eagan. An interlocal agreement might be worked out.

Mr. Stevens requested that Council give the County Board a listing of the requirements noting the kinds of functions they would like to have performed by these people. What level of detail, or what research you might want performed. If, perhaps, Council could give the Board a list of the requirements, we could prepare a proposal as to how that might work. Mr. Werner noted that that could be done.

Mr. Svoboda stated that they are currently in the midst of job audits, and, at least for our current employees, we would have that. He stated that he did not think, at this point, that there had been any discussion of adding staff, such as research staff, or a Chief of Staff position. This isn't an adding to staff; which could possibly come in the future. This is more of a managerial piece. If the offices are physically restructured, there are probably some efficiencies that would occur in office equipment, too. We'll share our job descriptions and audits with the County.

Ms. Newman asked if Mr. Werner and Svoboda as Chair and Vice-Chair of the Council would prepare the information for the County. They agreed. Mr. Camp asked who the lead person would be for the County Board? It was noted that Mr. Kerry Eagan would be involved along with the Chair and Vice-Chair of the Board (Larry Hudkins and Deb Schorr).

3RD FLOOR EXPANSION: Mr. Don Killeen of the Public Building Commission and John Kay with Sinclair-Hille came forward. Mr. Killeen noted that he had requested Mr. Kay's presence here today to make the presentation because this project included work that they had done back in October for the Public Building Commission.

Mr. Kay distributed information to the Common Members on what his company had put together regarding the costs in expanding the Third Floor of the County/City Building. He began with a brief history of the project. Starting in 1997 when the County/City Building was completed, it had been decided to

construct a third floor as unfinished space to accommodate future growth. There is approximately 45,000 square feet available on the 3rd Floor. The 2002 Master Plan looked at some possible tenants for occupancy of the 3rd Floor. In October of 2004, we revisited that issue, looked at some costs and some possible tenants on more recently identified needs such as those of the Probation Office. Mr. Kay noted that Adult Probation has some very high priority needs which include an approximate 7200 square feet of increased space requirements.

The costs were broken down into three potential phases which included doing the entire 3rd Floor and the cost efficiencies of doing that under one contract as one project. For 45,000 square feet, it would cost approximately \$60.00 per square foot for interior finish. An elevator cab is needed for the shaft that is there. All told, that would be about a \$3,000,000 project.

The Master Plan indicated completion of the 3rd Floor between 2004 and 2006. We're there now, so this cost estimate includes an inflation consideration on whether the work is done in '05 or '06. This is doing the entire 3rd Floor at once.

There were questions during the October presentation to the Public Building Commission and County Commissioners, of breaking out and doing the south tenant space, or the north tenant space to gain only what is immediately needed. The south tenant space represents 10,500 square feet. Once that is done, you still have to complete the center corridor that serves both spaces. So, doing this, some efficiency would be lost in looking at a partial construction. It doesn't mean it can't be done....but you'd still have to finish the center corridor which is around 8800 square feet.

The most recently identified needs looks at Adult Probation, Urban Development (since they're currently leasing space); Personnel and/or Public Works; City Attorney or a large conference room. There are some variables there due to more recently identified needs ascertained from what the Master Plan had outlined in '02 and what was revisited in '04.

The third floor, showing the '02 Master Plan lay-out of the 3rd Floor, may or may not be relevant at this time after the more recent discussions with the City Attorney's Office about their comfort in being on the 3rd Floor - with some security issues being brought forward. The proposed Public Works space would consolidate Watershed Management and some growth needs that they have. Of course, they're currently on 2nd Floor, but once you start moving people around in the building, it would be the domino effect. If Public Works is moved from 2nd Floor, that would allow Personnel to consolidate on 2nd Floor. There is a plan outline with some things that will definitely work if this falls into place.

Mr. Kay asked for questions or comments from the Common Members. Mr. Workman asked if 20% of the space is needed for a "hallway" allotment? He had always thought of hallways as wasted space - but we've got 20% of our available space committed to a central corridor. Is there any way we could tone that down to achieve more useable space? Mr. Kay answered that it could be done, noting that it had already been done in the Council/Commission reception area. These bump-outs can be done into the available corridor space. That could be done, perhaps, at the east end and there are some opportunities in the center. Of course the open shafts have to be maintained because that is part of the buildings air circulation system, but you can capture some of the space.

Ms. Newman asked how much would have to be added in order to provide all the modular walls and furnishing that would be required? She requested a "bottom line" quote. Mr. Killeen noted that if the cost information was for the space required for those functions, he believed that was taken into consideration in the cost estimates submitted today.

Mr. Kay, however, stated that these figures presented today would include construction costs only. It does not include the work on modular systems furniture that would be needed. He noted that there is currently some inventory on the 3rd Floor in storage that could be re-used. In working with the City/County vendor for office furniture on that, they always look at ways to take what you have and re-use it elsewhere.

What, specifically, those costs would be would depend on who the tenants will be. If City Law is located there, there would be a greater requirement for interior fixed walls versus open work stations. So, it remains to be seen, depending upon the tenants that occupy 3rd Floor. Mr. Killeen added that the inventory is pretty minimal at this point. He felt a \$4-6,000 estimate per cubicle would not be out of line.

Re-use of current inventory was discussed briefly, with Mr. Killeen explaining that when an office is reconfigured, the systems furniture is much less expensive than other options. Mr. Werner asked what had changed in the tenant options for the 3rd Floor. Mr. Killeen noted that the City Attorney has expressed some concerns about security. It might be possible to reconfigure this to link the two buildings together on the 3rd Floor. That way staff could have access while the public would be directed through the secured entry of the Hall of Justice.

Mr. Werner asked where location for Adult Probation is now in the Master Plan - wondering if it was in the County/City Building at all. Mr. Killeen answered that ultimately Adult Probation is geared to go to the 233 Building and consolidate with the rest of probation which is at Trabert Hall. This is in a three-five year phasing plan.

Mr. Friendt asked if reconfiguration meant providing more space for the same number of government employees, or are we expanding the space and then government employee numbers will expand to fill the space allowed? He was concerned about this...wondering if this expansion would involve the addition of 20% more City/County employees. He felt if we are, we need to go back and discuss a personnel plan first. Mr. Killeen stated that this would require looking at each individual departmental situation. If the City Attorney is moved over here, that would be making more room for court expansion in the Hall of Justice. If you consolidated Personnel on 2nd Floor and moved Public Works to the 3rd Floor, it would allow the expansion of the Public Defenders Office....which does need more space. It would also allow some growth for Public Works in this scenario.

Mr. Kay stated that in some cases it is consolidation. Using Public Works as an example - Watershed Management, currently off-site, would be brought in so they could all be in one space. In other cases, where there were growth needs identified in the Master Plan - these were, primarily, judicially related. The growth needs were determined by discussion with each Departmental Director in a 'ten-year look back/ten year look forward' process to identify areas of growth.

Mr. Friendt stated that he felt the elected officials represented at the Common today should be meeting with the Directors to continue to work on that personnel plan for the next ten years, before we agree to a structure plan. Is it cheaper to have space out in the community at a certain rate or to have it here?

Ms. Newman asked why this issue was coming forward now. Mr. Killeen responded that it was presented to the Public Building Commission in October of last year and they asked that a presentation be made to both legislative bodies. He noted that a presentation had been made to the County Board in November. He thought they had planned a meeting with the City Council before Christmas, but ran out of time. We brought it to the Council a few weeks ago and it was suggested that the presentation be made here to the Common.

Ms. Newman asked if there was a burning need to move forward, or is this just an update. Mr. Werner noted that he would like to hear from the Commissioners regarding this, noting that he understood the County was feeling pressure with their courts and juvenile probation agencies. Mr. Hudkins stated that in the joint meetings with the Mayor and Mark Bowen, they've asked several times where this is at from the Public Building standpoint. Certainly we have pressures with judicial expansion necessary - as the City has with bringing Personnel Department together.

Mayor Seng commented that there are Departments outside the building with leases. They have decisions to make to determine whether or not to renew those leases. She noted that the Personnel Office has been split for many years and this is not an ideal situation. However, the only pressure of which Mayor Seng was aware is the time-line inherent in lease renewal. These outlying departments need some direction.

Ms. Newman asked if the leases are by year or are they long-term leases? Mr. Stevens asked if Mr. Killeen had a cost estimate of what this would equate to in lease funds if we were to do the entire 3rd Floor in 2005. He assumed that no one had the \$3.1 million dollars in cash, so it would have to be financed over a period of time. Mr. Killeen stated that if you were to equate the cost back to the tenants on that floor only, we'd be looking at about an \$18.00 rate; we're currently at \$10.25 for the tenants. There are two ways to approach this. The cost could be allocated to the tenants on the 3rd Floor alone, or you could spread it out over the whole complex. There had been some discussion by the County Board earlier that they would want it distributed to the tenants on 3rd Floor alone, which would be about an \$18.00 rate.

Mr. Workman agreed that it should be allocated to that floor alone and that it would not make sense, economically, to do the project in two parts - that would just be a waste of money. He wanted to know the number of square footage that is leased on the outside and the cost of that leasing. If it's cheaper than \$18.00, and we could renew those leases -if they're cheaper- why not do that. Mr. Killeen indicated that he could get that information to the Common Members.

Discussion continued with Ms. Schorr noting that Community Corrections does need to be closer to the court system. Mr. Svoboda asked about cost efficiency of lease, with lease rates fluctuating versus building out the 3rd Floor. Mr. Killeen answered that in the long term it is always more cost efficient to own your own building. He cited the Health Department expansion as an example of a long-term basis cost savings.

Mr. Hudkins reminded the Common members of inflation rates which should be considered in determining the time-frame for this expansion. Ms. Newman requested that Mr. Killeen provide the Common with a list of absolute needs of Adult Probation and the other Departments with out-standing leases....basically just do the math on all the different issues. Mr. Killeen agreed to provide that information for the Common members.

OLD BUSINESS - None

NEW BUSINESS - None

ADJOURNMENT - Ray Stevens moved adjournment. The motion was seconded by Bob Workman and carried by unanimous consensus of the Common Members present. The Common adjourned at approximately 10:01 a.m. (CDT)

Submitted by
Joan V. Ray
Council Secretary

Commonminutes040405